



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**Two Gateway Center**  
**Newark, NJ 07102**  
**[www.nj.gov/bpu](http://www.nj.gov/bpu)**

**WATER**

IN THE MATTER OF THE PETITION OF THE	)	ORDER FURTHER SUSPENDING
ATLANTIC CITY SEWERAGE COMPANY FOR	)	INCREASES, CHANGES OR
AUTHORIZATION TO INCREASE TARIFF RATES	)	ALTERATIONS IN RATES FOR
AND CHARGES FOR SEWERAGE SERVICE	)	WASTEWATER SERVICE
	)	
	)	BPU DOCKET NO. WR09110940
	)	OAL DOCKET NO. PUCRS 13886-2009N

Ira G. Megdal, Esq. and Stacy A. Mitchell, Esq., Cozen O' Connor, 457 Haddonfield Road, Suite 300, Cherry Hill, NJ 08002 for Petitioner

**BY THE BOARD:**

On November 13, 2009, pursuant to N.J.S.A. 48:2-21 and 2-21.1 and N.J.A.C. 14:1-5.12, Petitioner, the Atlantic City Sewerage Company ("Company" or "Petitioner"), a public utility of the State of New Jersey subject to the jurisdiction of the New Jersey Board of Public Utilities ("Board"), and providing wastewater service to approximately 7,580 customers within its defined service territory consisting of the City of Atlantic City, Atlantic County, New Jersey, filed a petition to increase base wastewater rates in the overall amount of \$1,923,506 or 10.2% with a proposed effective date of December 15, 2009. The Petitioner is not seeking interim rate relief pending final determination on the petition.

According to the petition, Petitioner seeks the increase to provide for capital improvements to the Company's sanitary sewerage collection system and the replacement of certain utility plant within portions of its service territory. The Company also seeks the increase to enable it to continue to provide safe, adequate and proper utility service to its customers, to attract capital and to earn a fair and reasonable return on its investments.

On December 3, 2009, this matter was transmitted to the Office of Administrative Law ("OAL") for hearings. On December 1, 2009, the Board issued its first Order suspending the Company's proposed rate increase until April 15, 2010. This matter is currently before the OAL and hearings are scheduled to begin in June 2010.

In light of the fact that this proceeding is still pending before the OAL and may not be completed before April 15, 2010, the expiration date of the first suspension period, it is HEREBY ORDERED that:

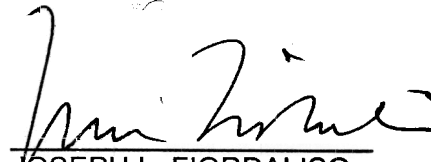
- 1) Pursuant to N.J.S.A. 48:2-21, the proposed revisions be, and are further suspended until August 15, 2010, unless the Board prior to that date makes a determination disposing of the petition;
- (2) Petitioner shall, at least ten (10) days prior to the date set for hearing on the petition by the Office of Administrative Law, file with this Board and with the Office of Administrative Law (33 Washington Street, Newark, NJ 07102) proof of compliance with the Notice provisions of N.J.S.A. 48:2-32.2 and N.J.A.C. 14:1-5.12 (b) and (c), which Notice shall include a statement that any relief found by the Board to be just and reasonable may be allocated by the Board to any class or classes of customers on any rate or schedule as the Board may determine; and
- (3) Petitioner shall, serve copies of this Order upon the Office of Administrative Law, the Division of Rate Counsel (31 Clinton Street, P.O Box 46005, Newark, NJ 07102), the clerk of the affected municipality, the clerk of the Board of Chosen Freeholders of the affected county, and where appropriate, the executive officer of the affected county within its service area. Service of the petition, notice of hearings and this Order may be made simultaneously. Proof of service of this Order shall be filed with the Board within fifteen (15) days of the date of this Order.

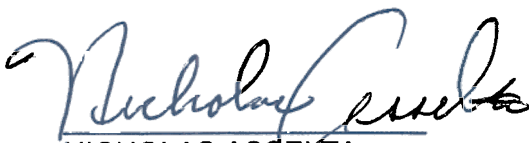
DATED: 4/16/10

BOARD OF PUBLIC UTILITIES  
BY:

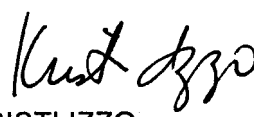
  
LEE A. SOLOMON  
PRESIDENT

  
JEANNE M. FOX  
COMMISSIONER

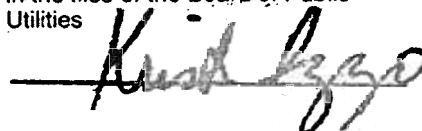
  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
NICHOLAS ASSELTA  
COMMISSIONER

  
ELIZABETH RANDALL  
COMMISSIONER

ATTEST:   
KRISTI IZZO  
SECRETARY

I HEREBY CERTIFY that the within  
document is a true copy of the original  
in the files of the Board of Public  
Utilities



I/M/O THE PETITION OF THE  
ATLANTIC CITY SEWERAGE COMPANY  
FOR AUTHORIZATION TO INCREASE TARIFF RATES  
AND CHARGES FOR SEWERAGE SERVICE

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